

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6369

BILL NUMBER: SB 347

NOTE PREPARED: Nov 25, 2002

BILL AMENDED:

SUBJECT: Driving While Using a Hand Held Mobile Telephone.

FIRST AUTHOR: Sen. Howard

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill makes it a Class D infraction to operate a motor vehicle while using a hand-held mobile telephone. It exempts: (1) a person who uses a mobile telephone in an emergency situation; (2) an authorized emergency vehicle; (3) a medical services vehicle; and (4) a volunteer firefighter or a certified emergency medical technician en route to the scene of an emergency.

Effective Date: July 1, 2003.

Explanation of State Expenditures:

Explanation of State Revenues: If additional court cases occur as a result of creating a penalty for using a hand-held mobile phone while operating a motor vehicle, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class D infraction is \$25, which is deposited in the state General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the

county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

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